

PAUL J. FISHMAN  
United States Attorney  
ANTHONY J. LABRUNA  
Assistant U.S. Attorney  
970 Broad Street, Suite 700  
Newark, NJ 07102  
Tel. (973) 645-2926  
Fax. (973) 297-2010  
email: anthony.labruna@usdoj.gov

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

UNITED STATES EX REL. KEVIN KOCH,  
NANCY ZOOK AND DANIEL BRAUN,

*Plaintiff(s),*

v.

BI INCORPORATED,

*Defendant(s).*

HON. RENEE M. BUMB

*Civil Action No. 08-0148 (RMB)*

UNSEALING ORDER

**[FILED IN CAMERA AND  
UNDER SEAL]**

The United States of America ("United States") through its counsel, PAUL J. FISHMAN, United States Attorney, District of New Jersey (ANTHONY J. LABRUNA, Assistant United States Attorney, appearing), having filed its Notice of Election to Decline Intervention pursuant to 31 U.S.C. § 3730(b)(2)(A), the Court rules as follows:

IT IS on this *2<sup>nd</sup>* day of *December*, 2010;

ORDERED that only the Complaint, the United States' Notice of Election to Decline Intervention, and this Order be unsealed and served upon the defendants by the Relators. All other contents of the Court's file in this matter (including, but

not limited to, any applications filed by the United States for an extension of the sixty-day investigative period or for any other reason, oppositions filed by the United States in response to the Relators' motions, reply briefs, memoranda, and supporting documents) shall remain under seal and not be made public or served upon the defendants; and it further

ORDERED that the Clerk of the Court shall administratively reopen the above action; and it is further

ORDERED that the seal be lifted as to all other matters occurring in this action after the date of this Order; and it is further

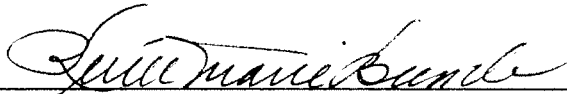
ORDERED that Relators may maintain the instant action in the name of the United States; provided, however, that the action may be dismissed only if the Court and the Attorney General of the United States give written consent to the dismissal and their reasons for consenting; and it is further

ORDERED that pursuant to 31 U.S.C. § 3730(c)(3), all subsequent pleadings, including supporting memoranda, filed in this action must be served upon the United States; and it is further

ORDERED that the United States may order any deposition transcript or intervene in this action, for good cause, at any time; and is further

ORDERED that all Orders of this Court in this action shall be sent to the United States; and it is further

ORDERED that should either the Relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

  
\_\_\_\_\_  
RENEE M. BUMB  
United States District Judge